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9 Attorneys for the United States of America

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA, ) No. CR 10-00352 PJH

14 Plaintiff, )

15 v. )

16 TAE SON LEE (a/k/a Mike Lee), )  
17 JONG MOON CHOI (a/k/a Peter Choi), and )  
18 KWANG IL SONG (a/k/a Daniel Song), )

Defendants. )

**UNITED STATES' MOTION TO  
TEMPORARILY UNSEAL SEARCH  
WARRANT MATERIALS FOR  
DISCOVERY AND [PROPOSED]  
ORDER**

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20 The United States hereby moves the Court for an order to temporarily unseal the  
21 Applications and Affidavits for Search Warrant, Search Warrants, and all attachments thereto  
22 (collectively, "Search Warrant Materials"), which were issued on March 19 and 23, 2009 in cases  
23 No.4:09-70276-WDB, and No 4:09-70285-EMC-WDB, respectively, for the sole purpose of  
24 making copies for discovery to the defense and then to have the Search Warrant Materials  
25 resealed after the copies have been made. The defendants do not oppose this motion.

26 The Search Warrant Materials contain information relating to matters that occurred before  
27 the grand jury. Rule 6(e)(3)(E)(I) of the Federal Rules of Criminal Procedure permits the Court  
28 to "authorize the disclosure . . . of a grand-jury matter preliminarily to or in connection with a

1 judicial proceeding . . . ." Here, the defendants may appropriately receive the Search Warrant  
2 Materials in discovery and may require information contained therein to adequately prepare and  
3 assess their respective cases. (The government will redact all but the last four digits of any bank  
4 account numbers contained in the Search Warrant Materials.) Authorizing the temporary  
5 unsealing of the Search Warrant Materials for the purpose of making copies for producing  
6 discovery and resealing those materials after copies have been made is therefore appropriate so  
7 that the United States may fulfill its discovery obligations.

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9 Dated: July 23, 2010

10 Respectfully submitted,

11 JOSEPH P. RUSSONIELLO  
12 United States Attorney

13 /S/  
14 ANDREW S. HUANG  
15 Assistant United States Attorney

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2 **[PROPOSED] ORDER**

3 Based upon the motion of the United States and for good cause shown, the Court hereby  
4 ORDERS that the Applications and Affidavits for Search Warrant, Search Warrants, and all  
5 attachments thereto (collectively, "Search Warrant Materials"), which were issued on March 19  
6 and 20, 2009 in cases No.4:09-70276 WDB, and No 4:09-70285 WDB, respectively, be  
7 temporarily UNSEALED to permit the United States to make copies for the defendants and that  
8 said materials be RESEALED after such copies are made.

9 It is further ORDERED respectively United States is permitted to disclose to the  
10 defendants matters occurring before the grand jury as contained in the Search Warrant Materials  
11 and that the United States may redact all but the last four digits of any bank account numbers  
12 contained therein.

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14 DATED: 7/26/2010



15 Hon. DONNA M. RYU  
United States District Court Magistrate Judge  
Northern District of California

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